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## A Trauma-Informed Approach to Labor & Sex Trafficking

What Law Enforcement Leaders Need to Know

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In 2000, an eight-year-old Egyptian girl was sold into slavery by her parents to a wealthy family to settle a debt. About a year and a half later, in 2002, the family who purchased the girl immigrated from Egypt to Irvine, California, and took young Shyima with them. For two years, Shyima was forced to live in the family's garage and spend countless hours each day doing household chores, including cooking for the family and their children.

In a more recent example, in June 2022, video camera footage at the Shops at Legacy in Plano, Texas, captured a 17-year-old girl being beaten by a sex trafficker while he physically forced her into his car.

These are just two horrific examples of countless labor and sex trafficking cases occurring annually in the United States and around the globe.

## Definitions

Sex trafficking and labor trafficking have been defined by many different governments and nongovernmental organizations (NGOs). The Trafficking Victims Protection Act of 2000 (TVPA) defines *sex trafficking* as the “recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.”<sup>1</sup> Sexual exploitation includes forcing an individual to engage in commercial sex acts, including prostitution or the production of pornography.

*Labor trafficking* is defined by the TVPA as the “recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.”<sup>2</sup> Examples of potential venues for labor trafficking include domestic servitude or industries such as restaurants, janitorial, factories, and agriculture.

## The Scope and Impact of Human Trafficking

The U.S. Federal Bureau of Investigation Uniform Crime Report began collecting human trafficking data in 2013. Though an important effort, state participation has been limited and the data do not yet provide a quality understanding of the U.S.-wide picture. As a result, many seek additional data from the U.S. National Human Trafficking Hotline. The hotline reports cases by counting the phone calls, texts, online chats, emails, and online tip reports received each year. In 2020, there were 10,583 cases reported to the hotline, up 37 percent from just five years ago. The hotline serves as a valuable resource, but it also does not capture the magnitude of trafficking that occurs throughout the United States.<sup>3</sup>

On smaller scales, county or regional human trafficking task forces collect important data from a local perspective. For example, on the Orange County Human Trafficking Task Force website, there are meaningful demographic data. Collaborative interest in supporting better data collection efforts on a local, state, and national level will help illuminate the scope of this exploitation and criminal activity.<sup>4</sup>

Human trafficking negatively impacts the quality of life for victims and their families. Post-traumatic stress disorder, drug addiction, unplanned pregnancies, sexually transmitted diseases, and other health-related issues are among the impacts experienced by victims. Victims are often exposed to other associated criminal activity, while isolated from families, friends, and faith communities. Tragically, one in six runaways are believed to be trafficked.<sup>5</sup>

The Covid-19 pandemic, including shelter-in-place orders, has had an impact on the forms human trafficking has assumed and the profile of victims. A study by Polaris (formerly Polaris Project) suggests human trafficking as an industry is resilient and human traffickers are adaptable to changing circumstances and opportunities.

The Polaris study compared a six-month shelter-in-place period to two pre-shelter-in-place periods. While the data showed a decrease of 30 percent in traditional forms of commercial sex trafficking, it also indicated a more than 45 percent increase in reports of sex trafficking involving online exploitation. In addition, Polaris's analysis of two years of data indicated that online sexual exploitation involved a minor 55 percent of the time, while traditional forms of commercial sex trafficking involved a minor 24 percent of the time. In 50 percent of cases involving traditional sex trafficking, the person reporting the trafficking had direct knowledge about the victim, whereas this figure was about 30 percent in the cases involving online sexual exploitation. Consequently, victims of online exploitation are less likely to be reached through traditional forms of intervention.<sup>6</sup>

## Challenges

A common challenge for law enforcement remains the identification of human trafficking victims and funding for anti-trafficking training and resources.<sup>7</sup> Identifying and intervening in human trafficking is made more difficult due to social media, apps, and other technology being leveraged to facilitate human trafficking.

To better inform the processes for identifying human trafficking victims, a continuum of care that includes a multidisciplinary approach with partners and strategies for online identification of suspicious activities related to human trafficking partners is needed. Partners such as health care professionals (HCPs) are needed to bolster primary prevention and identification efforts. Including HCPs in a continuum of care allows for the increased identification of those seeking health care and involved in human trafficking.

According to some experts, human trafficking can be viewed through the lens of public health.<sup>8</sup> Taking a public health approach to human trafficking by educating health care professionals and paraprofessionals can enhance the odds that victims of human trafficking are identified. By engaging with law enforcement, health care professionals can ensure victims receive the resources and care they require.

Currently, screening and assessment for domestic violence are provided in the emergency department and during inpatient assessments. The evaluation typically consists of four themes: perceived safety; basic safety; access to transportation, food, money, and important papers; and proper health care.

For future iterations of medical intake assessments, the addition of human trafficking questions should be included, modeled after the screening for safety and security due to interpersonal violence and domestic violence.

## Initiatives and Collaborations

In 2010, U.S. President Barack Obama proclaimed January as National Slavery and Human Trafficking Month.<sup>9</sup> As a result, more and more people in the United States are aware of the tragic stories of exploitation and cruelty associated with these crimes. Additional awareness has come from the U.S. Department of Homeland Security's Blue Campaign.

The Blue Campaign's mission is to end human trafficking. The campaign trains those working in and around aviation and transportation to identify traffickers and their victims. It is also designed to educate the public, law enforcement, and other industry partners to recognize the indicators of human trafficking, and how to respond to possible cases appropriately.<sup>10</sup>

The campaign works closely with Department of Homeland Security personnel to develop general awareness training programs and specific educational resources to help reduce victimization within vulnerable populations. Among these efforts are informational posters that have been placed in airports and other transportation hubs. Targeted awareness efforts like those around the Super Bowl and other entertainment events also provide a broader understanding of human trafficking proliferation.

Today, there are a number of law enforcement jurisdictions that are working with nonprofit partners to establish multidisciplinary response teams and protocols to better recover victims of this crime. For instance, the Orange County, California, Human Trafficking Task Force (OCHTTF) brings together law enforcement, prosecution, advocates, mental health professionals, paraprofessionals, and others as a force multiplier in aiding and recovering victims while positively impacting the survivors of human trafficking. The OCHTTF has continued to evolve. In 2013, the Orange County District Attorney's Office created a vertical prosecution unit known as HEAT (Human Exploitation and Trafficking) dedicated

to specialized cases investigating and prosecuting all forms of human trafficking.<sup>11</sup> Through partnerships, community collaborations, and outreach, OCHTTF and HEAT continue to recover and positively impact human trafficking survivors. Orange County serves as just one example of regional cooperation designed to effectively identify and recover human trafficking victims, while bringing their traffickers to justice.

## **Law Enforcement Mentality and Training**

Just a decade ago, law enforcement's training and awareness regarding the recognition of human trafficking victims were substandard. Over the years, many victims of human trafficking have been misidentified as prostitution suspects. Many jurisdictions have learned from this mistake and now employ a victim-centered approach in the investigation of human trafficking. This approach better enables investigators to gain the cooperation of victims earlier and increase trafficker arrest rates. Ideally, 24/7 victim advocates and social workers will respond with law enforcement to immediately connect with and support victims. This approach to addressing human trafficking can be challenging but is worthy of the effort.

Although progress has been made, the National Institute of Justice (2022) released an in-depth evaluation of the "Enhanced Collaborative Model" showing that identification, victim fear, and lack of resources remain barriers to effectively handling human trafficking cases.<sup>12</sup>

Enhanced education, primary prevention, and supportive wrap-around resources are needed post-release from trafficking. In addition, law enforcement, other criminal justice professionals, and paraprofessionals must be well versed in the impacts and biopsychosocial impact on survivors. Training to address victims' potential fear of law enforcement must include community partnerships, collaborations, support from stakeholders, and robust outreach efforts in

conjunction with nonprofits and NGOs.

## **A Trauma-Informed Approach Moving Forward**

Too often, law enforcement and other first responders are unable to meet human trafficking survivors where they are—on their turf and terms. Human trafficking creates ripples of trauma that, left untreated, may manifest into long-term health issues. Human trafficking can be traumatic and can adversely impact the quality of life for those involved.

The potential trauma human trafficking survivors have experienced may impact their ability to process information, leading to frustration on the part of law enforcement in gathering statements and evidence. Victims may be unintentionally hiding or minimizing their experiences. Not through deceit, but rather, trauma may have impacted their ability to process information, specifically, their neurobiological structures that control functioning and reasoning. The multilayered trauma they may have experienced changes how hormones and neurotransmitters respond, and this, in turn, can impair cognitive processing. Being victimized in an intimate and personal way can lead to relational conflicts aggravated by authoritarian dynamics within traditional interviewing strategies. In addition to fear, shame and embarrassment can result in interpersonal and relational problems in dealing with authority figures.

## **Human Trafficking Potential Warning Signs: Suspect and Victim Profiles**

### **SEX TRAFFICKING POTENTIAL WARNING SIGNS**



Works in an industry where it may be common to be pressured into performing sex acts for money, such as a strip club, illicit cantina, go-go bar, or illicit massage business

Has a controlling parent, guardian, romantic partner, or “sponsor” who will not allow them to meet or speak with anyone alone or monitors their movements, spending, or communications

Physical injuries or branding marks, such as name tattoos on the face or chest, or tattoos about money and sex

Clothing that is inappropriately sexual or inappropriate for the weather

Signs of unusual wealth without explanation—new jewelry, shoes, phones, etc., without any known form of income

## **LABOR TRAFFICKING POTENTIAL WARNING SIGNS**

Avoids eye contact, social interaction, and authority figures/law enforcement

Seems to adhere to scripted or rehearsed responses in social interaction

Works excessively long hours

Lives at place of employment

Lacks official identification documents

## **WHO ARE THE TRAFFICKERS?**

They may be family members, romantic partners, acquaintances, or strangers. Traffickers may be of any ethnicity, background, or age. Traffickers typically understand the art of blending in, and they may be seen in public spaces, on the street, at the grocery store, inside a bank, or at an airport or transportation center.

## **AT-RISK/VULNERABLE INDIVIDUALS**

Have previously experienced adverse childhood experiences (ACEs) or been witness to or involved in other forms of violence such as sexual abuse or domestic violence

Have run away or are involved in the juvenile justice or child welfare system

Are undocumented immigrants

Are facing poverty or economic need

Are suffering from substance use disorder, or drug or alcohol addiction

Not all the indicators are present in all situations involving trafficking in humans. Although the presence or absence of any of the indicators neither proves nor disproves that human trafficking is taking place, their presence should lead to investigation.\*

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Note:

\*United Nations Office on Drugs and Crime, *Human Trafficking Indicators* (2014).

Securing the funding to provide trauma-informed training to all law enforcement personnel interacting with human trafficking victims can decrease the risk of secondary traumatic stress and revictimization. There are many entities across the United States, including the IACP ([theIACP.org/humantrafficking](https://theIACP.org/humantrafficking)) that offer training and certification in trauma-informed care and trauma-informed interviewing.

When using trauma-informed interviewing techniques, law enforcement must also use pragmatic strategies and innovative, evidence-based tools to help interviewers gather better information on assaults by perceiving how the survivor is experiencing and reacting to the victimization.

Training in trauma-informed interviewing should be provided to all who interact with victims of human trafficking. Victims may have experienced severe emotional, psychiatric, and psychological trauma in addition to physical trauma. To meet victims where they are, it is essential to gather information for investigative purposes while ensuring that the person or persons collecting the information, e.g., law enforcement and other legal professionals, are not re-traumatizing or traumatizing the victims further with their line of questioning.

## **Making Future Progress**

Human trafficking occurs in every community, even the most affluent. While much progress has been made, more must be done to provide a realistic understanding of human trafficking.

Shyima Hall was recovered at age 13 after law enforcement and child protective services received a tip from a neighbor. Her traffickers were sentenced to prison, and today, Shyima is thriving. In the Plano, Texas, case, the traffickers who

assaulted and attempted to kidnap the 17-year-old victim were convicted and sentenced to several decades in prison. Unfortunately, most cases don't end with traffickers being arrested or suspects being prosecuted.

Law enforcement executives have a unique opportunity to lead a collaborative response to impact trafficking. Police executives should commit available resources, partner with external providers, and apply for grant funding to combat the uptick in human trafficking cases, including a commitment to securing funding for advanced training that allows for law enforcement to meet the survivors where they are, e.g., trauma-informed interviewing training, so investigative personnel can ensure that the best possible evidence is collected and used in prosecuting human trafficking cases in a manner that protects the safety of victims.

Additionally, the involvement of health care professionals in identifying human trafficking victims can help stem the tide of traffickers taking hold of the vulnerable populations that they use for illicit purposes. Multidisciplinary approaches to combat human trafficking that feature cooperation between health care, social workers, law enforcement, victim advocates, prosecutors, and the public have shown promising results within the last decade.<sup>13</sup> This type of approach entails interagency cooperation, funding, creativity, and commitment, but it is certainly worth the effort. 🛡️

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## Notes:

<sup>1</sup>Trafficking Victims Protection Act of 2000, Pub. L. No. 106-386, 22 U.S.C. § 7102 (2000).

<sup>2</sup>Trafficking Victims Protection Act of 2000, 22 U.S.C. § 7102.

<sup>3</sup>National Human Trafficking Hotline, "Hotline Statistics," 2020.

<sup>4</sup>Orange County Human Trafficking Task Force (OCHTTF) website.

<sup>5</sup>National Center for Missing & Exploited Children, "Child Sex Trafficking."

<sup>6</sup>Polaris, "Myths, Facts, and Statistics."

<sup>7</sup>IACP, "Anti-Human Trafficking Training and Technical Assistance"; Amy Farrell, Vanessa Bouché, and Dana Wolfe, "Assessing the Impact of State Human Trafficking Legislation on Criminal Justice System Outcomes," *Law & Policy* 41, no. 2 (April 2019): 174–197.

<sup>8</sup>V. Jordan Greenbaum et al., "Multi-Level Prevention of Human Trafficking: The Role of Health Care Professionals," *Preventive Medicine* 114 (September 2018): 164–167.

<sup>9</sup>U.S. Department of State, "National Human Trafficking Prevention Month."

<sup>10</sup>U.S. Department of Homeland Security, "Blue Campaign."

<sup>11</sup>OCHTTF; Orange County District Attorney's Office, "The Human Exploitation and Trafficking Unit."

<sup>12</sup>National Institute of Justice (NIJ), "Federally Backed Human Trafficking Task Force Model Yields Progress, and Opportunities for Continued Growth," January 6, 2022.

<sup>13</sup>NIJ, "Federally Backed Human Trafficking Task Force Model Yields Progress, and Opportunities for Continued Growth."

Please cite as

David L. Maggard and Kathryn Hamel, "A Trauma-Informed Approach to Labor & Sex Trafficking: What Law Enforcement Leaders Need to Know," *Police Chief Online*, October 26, 2022.

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